

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – T & A Dept. – Krishna Dist. – Sri A. B. Surya Prakash, STO, Divl. Sub-Treasury, Vijayawada – Punishment of reduction of his pay by two stages for a period of one year with cumulative effect on future increments awarded by DTA, Hyderabad – Appeal rejected – Review petition – Allowed – Punishment set aside – Orders – Issued.

FINANCE (Admn.III) DEPARTMENT

G.O. Rt. No. 2966

Dt.23-6-2010

Read the following:

1. D.T.A., Hyderabad Procs.No. K(I)3/15189/2004, dt. 12-3-2008.
2. Govt. memo. No. 17028/190/A1/Admn.III/2008, dt. 19-8-2009
Finance (Admn.III) Dept.
3. Review petition of Sri A.B. Surya Prakash, S.T.O. (Retd.), d. 29-3-2010
Received through CMP No. 4749/CMP/2010, dt. 30-4-2010.

O R D E R:

In respect of the lapses/irregularities alleged to have been committed by Sri A.B. Surya Prakash, S.T.O., disciplinary action was initiated against him and the following charges were framed.

Charge-I:

“That Sri A.B. Suryaprakash, S.T.O., while working as S.T.O., Mummidivaram has collected on 2-8-2004 a copy of procs. No. 5009/03-A1, dt. 30-7-2004 of the Dist. Collector, E.G.Dist., wherein orders suspending Sri M.M. Anand Sagar, Sarpanch, Gram Panchayat, Kaatrenikona were issued from Sri P. Venkata Rao, in-charge Sarpanch of the Village promising that he would hand-it over to the Branch Manager, State Bank of India immediately and did not do so till the next day. Thus he suppressed the information of the said suspension from going to the notice of the Branch Manager on 2-8-2004 and facilitated the said suspended Sarpanch to fraudulently draw an amount of rs.2,20,447/- on the same day.

Charge-II:

“That Sri A.B.Surya Prakash, while working as Sub-Treasury Officer,Mummidivaram, has issued a letter of credit in respect of Village Panchayat Funds of Kaatrewnikona village on 2-8-2004 on the request of one Sri M.M. Ananda Sagar even after his receiving the Proceedings No. 5009/03-A1, dt. 30-7-2004 of the Dist. Collector, Kakinada wherein orders were issued suspending the said Sri M.M. Ananda Sagar as Sarpanch of Gram Panchayat, Kaatrenikona. Thus he behaved in a manner unbecoming of a Government Servant.”

Charge-III:

“That Sri A.B.Surya Prakash, while working as Sub-Treasury Officer, Mummidivaram has left the office accompanying Sri M.M.Ananda Sagar, suspended Sarpanch, Katrenikonda village, in the latter’s car to go to State Bank of India, Mummidivaram Branch during busy hours on 2-8-2004 and deceitfully introduced the suspended Sarpanch as the Sarpanch of the Gram Panchayat and thereby facilitated the latter to fraudulently drawn an amount of Rs.2,20,447/- from the Village Panchayat Funds. Thus he has behaved in a manner unbecoming of a Government Servant.”

2. After following due procedure he was awarded the punishment of reduction of his Pay by two stages for a period of one year with cumulative effect on future Increments by the D.T.A., Hyderabad vide his Procs. Dt. 12-3-2008.
3. Against the said punishment he preferred Appeal which was rejected vide Govt. Memo. 2nd read above.
4. Against the said rejection of Appeal petition, the individual has preferred Review petition through reference 3rd read above wherein he has stated that the L.O.C. was issued to the sarpanch of the concerned Panchayat Office and it was received by them, there is no misappropriation, the said Sarpanch was not examined during the enquiry, the events took place on the day of issue of LOC were not taken into consideration. It is also not examined about the getting of Stay orders

from the High court by the said suspended sarpanch and his continuation in post and also his further drawals which were regularized. When the said Sarpanch was allowed subsequent drawals, the issue of LOC in the name of the said Sarpanch cannot be treated as irregular and finally he requested to consider his representation and the 2 increments reduced, which is causing loss in his pension, may be restored as he has already retired from service on superannuation.

5. Government after careful examination of the material, i.e., Charge Memo., explanation, Enquiry report, Punishment order, Review petition, it is noticed that the stamp duty adjustment order was also sent by the Deputy Director, Krishna through said sarpanch and by the time of issuing LOC the S.T.O. is not aware of the suspension of the sarpanch. The issue of LOC and the receipt or the orders of suspension of the Sarpanch have been occurred on one and the same date. The LOC was issued to the credit of the Accounts of the concerned Panchayats, but not in favour of the individuals. The D.P.O. has to release the amounts to the individuals to whom the amounts are to be disbursed. Hence, it is decided to drop further action against Sri A.B. Surya Prakash, S.T.O. (Retd.), Dist. Treasury, Machilipatnam.

6. Accordingly, Government hereby order to set aside the punishment of reduction of his pay by two stages for a period of one year with cumulative effect on future increments awarded by the DTA, Hyderabad vide reference 1st read above on Sri A.B. Surya Prakash, S.T.O. (Retd.) and further action on the Charge Memo. No. k(1)3/15189/04, dt. 7-4-2005 issued by the DTA, Hyderabad is dropped.

7. The DTA, Hyderabad is requested to take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To
The individual (through DTA, Hyd.)
Copy to: The DTA, Hyd.
The Deputy Director, Dist. Treasury,
Krishna, Machilipatnam.
The Accountant General, A.P., Hyd.

//FORWARDED:: BY ORDER//

SECTION OFFICER